

EXHIBIT E
Consultant Community Comments and City Response to Draft A/E Selection Ordinance

	Consultant Comment	City Response
Section 2.88.020 Pre Qualifications		
	If firms can register under more than 1 category, how do you prevent one firm from getting up to \$1.0 M in projects?	Firms can be pre-qualified in as many disciplines as they have expertise in. As the small projects will be given to the Highest Qualified to perform the required services, it is unlikely that one firm will receive several assignments.
	List Project and Construction Management as Disciplines.	Agreed. Will include in the discipline list.
	Category J. Miscellaneous does not seem pertinent.	This category is intended to cover those specialty consultants that may be required for projects such as an arena, golf course or zoo expansion. Therefore, title has been changed to Special Projects
	What does Environmental Engineering include?	Will provide more explanation in the Pre-Qualifications application.
	Recommend adding the discipline of Facilities Engineering.	Did not include as it does not appear to require the services of a registered engineer to perform and some of them are already covered under existing disciplines.
Section 2.88.030 Procedures		
	Paragraph A. Does not mention civil engineering or landscaping.	Agreed. Will include in the listing of basic services.
	Paragraph A. calls for 5 project phases, however, all 5 phases may not be needed for a particular project, or may want to add another phase such as study/report.	Agreed. Will change language to allow flexibility of including additional or reducing number of phases.
	Add a provision that allows a design firm to be paid for final design phase if the city fails to bid the project within 90-120 days of phase completion.	This is an issue to be addressed in the contract, not the selection ordinance.
	In Paragraph C. Submittals, increase number of pages to 30 as 10 pages are not enough to address evaluation criteria. Also, are resumes included in this limit?	The scope of the evaluation criteria has been limited thus making the 10 page sufficient to provide a response. However, we are adding language to allow more pages for complex project. Explanation in Pre-Qualifications application.
	In Paragraph D. Evaluation of Submittals, increase limit for selection by City Engineer to \$1.0M.	Left limit at \$500,000.
Section 2.88.040 Selection of Highest Qualified Firm-Projects under \$500,000		
	Firms should not be penalized for not accepting an assignment if they are in a situation where their workload would not allow them to provide adequate professional services.	Agreed. Revised so that Firms can appeal penalties to City Council.
	Does not provide for rotation or have any criteria other than Highest Qualified.	This is a state statute requirement and we must select the Highest Qualified firm to provide services on a particular project.
Section 2.88.050 Selection of Highest Qualified Firm-Projects over \$500,000		

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	Add language requiring submission of proposals for these projects.	Although this is implied, it may not be clear. Will revise language to clarify.
	Reduce number of short listed firms to 3 except for extremely large projects.	Agree. Revising language to allow for 3 finalists except for projects with a budget over \$5,000,000 for which we will have 5 finalists.
	Paragraph B uses the word proposal which implies fees may be involved. Is this really intended to mean a more elaborate SOQ?	Changing proposal to submittal.
Section 2.88.060 Evaluation and Selection Committees		
	Delete Provision for licensed A/E representative; too hard to get membership.	Have been able to find those willing and eligible to serve as this representative. Therefore, maintaining on Selection committee and adding to Evaluation Committee. *****
	Define who can be a designee to make sure we don't diminish the professionalism of the committees.	Language being revised to clarify who can be a designee for all committee members.
	Unaware there is a City Architect in the City's organizational structure. Will this person sit on engineering project selections?	Revising to Chief Architect and this member will sit on all project selections.
	Could a special funding department, such as CD, be a significant omission here?	The evaluation committee allows for an agency representative for those projects funded more than 20% by an agency other than the City.
	Add Mayor Pro-Tem and City Rep. From district where project is proposed to allow for public to have a voice.	Revised to add a panel of community representatives to be comprised of 2 appointments from each district and the Mayor for a total membership of 18 persons. This will address A/E concerns with having a public voice in the selection process.
Section 2.88.070 Evaluation Factors		
	Project Plan should be worth more than 50%. Suggest it be increased to 90-95% with the other factors worth 5-10%.	Increasing Project Plan to 60 points and decreasing Cost Control and Quality Control to 20 points each. Propose to add 10 points to the category of Responsive to Scope of Work under Project Plan and combining Estimating Method and Cost Control Plan in Cost Control and combining Plan to Identify Errors & Omissions and <u>Peer Review in Quality Control</u> .
	Past experience would seem to be a needed and pertinent evaluation item. Add to the description under Project Team.	Already included as a factor.
	To do an actual Peer Review using outside sources is very expensive. Is it the intent for the firm to describe what is used "in house" for peer review?	Firm should describe their use of Peer Review principles in quality control. Language will be revised to clarify this.
	Value Engineering is usually taken to mean a formal process with specific steps and requirements. Perhaps rename as Value Engineering principles would be better.	Agreed. Revising language.

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	Delete request for design criteria.	Agreed.
Section 2.88.090 Time Restrictions		
	Increase number of days from notification to submittal of fee proposal to 10 working days.	Agreed. Revising language.
	In the table, first 4 items are not in consultant's control therefore, firms should not be determined to be nonresponsive if these days are not met.	Agreed. Clarifying language.
Code of Conduct		
	Add the following language: -I certify that I am not related to any of the proposing team members. -I certify that I have no business relationships, of any type, with any of the proposing team members.	Agreed.
Pre-Qualifications Application		
	Add the following requirements: Work done by the firm as a Prime consultant for the City in the last 5 years Experience of all firm's Project Managers as Prime Consultants for the City for the last 5 years	Agreed.
	There is no time frame associated with this. Are they valid indefinitely?	Clarifying language to note that Pre-Qualification is good for the life of the firm and it is up to the firms to notify the City of changes in their staffing.
	Are "pop-up" type illustrations allowed?	Yes.
	All firms should provide copies of current engineering licens for all licensed personnel and the firm's current registration certificate issued by the State Board of Professional Engineers.	Agreed.
	Should an engineering or architectural firm disclose any disciplinary actions brought against it's licensed personnel?	No.
	Can more than one project manager be listed as well as the principal and/or owner of the firm?	Yes.
	Can a project manager be an EIT?	Yes.
	Increase number of pages to 30 to identify complete project & services list/resume.	Twenty pages should be sufficient for this purpose.
	In a pre-qual statement, it would be almost impossible to identify the % of time that a staff member is available since we will not know when the services will be required nor the extent of services.	Agreed. Deleting requirement.